

Laundering And Tracing

"This book has emerged ... from Maudsley and Burn's trusts and trustees: cases and materials, the seventh edition of which was published in 2008"--Preface.

The sixth edition of Trusts and Equity builds on the popularity of previous editions by continuing to provide detailed and lively analysis of an area of law traditionally found difficult. An academically rigorous text, yet highly readable, each chapter introduces and summarizes key concepts, encouraging you to appreciate the scope and boundaries of a topic before engaging with the detail. By drawing on his expertise in teaching, writing, and research, Gary Watt brings the subject to life with useful analogies and memorable references to history and the cultural context of the law. The book helps you to actively engage with the subject and to think critically about its central issues. While some textbooks are set out like encyclopaedias, Trusts and Equity is designed to be read cover to cover, like a series of stimulating lectures. Online Resource Centre An Online Resource Centre accompanies this book, providing additional support for both students and lecturers. Resources: * Video clips giving an introduction to equity and trusts along with three mini-lectures presented by Gary Watt * General guidance on answering essay questions and problem scenarios * Sample essay questions and problem scenarios, along with answer guidance * Key legal developments since publication * Web links to further primary sources and commentary to aid your understanding * Flashcard glossary to help test your knowlegde of key terms

Written in a fresh and lively style and supported by a strong analytical framework, the sixth edition of Pearce & Stevens' Trusts and Equitable Obligations continues to provide students with a relevant and exciting examination of a subject that can seem remote and difficult. Revised diagrams and flow charts help to explain difficult topics such as the operation of the pari passu, first in, first out, and rolling charge methods of allocating funds between contributors and the circumstances in which strangers can be held personally liable as dishonest accessories to or knowing recipients of trust property in breach of trust. The authors take a modern and conceptual approach to the wide array of topics covered in undergraduate equity and trusts modules, helping students explore the many ways trusts impact on everyday life and in the world of finance and commerce. The text is accessible without compromising detailed critical comment, and engages with key issues such as the protection of privacy, enforcing informal promises, trusts and the family home, and assessing public interest in charities. Extensive rewriting has enabled the incorporation of substantial new material without an increase in the overall length of the book.

This book is the first casebook on restitution law to be published in Australia. It contains comprehensive extracts from the most significant Australian and English cases, together with some Canadian cases which indicate the possible direction which Australian law will take. The author has included substantial commentaries following the extracts, in order to further explain the decisions from overseas jurisdictions, to place those decisions in an Australian context. In the last decade, there has been a significant number of Australian decisions which deal with important concepts in restitution, and which supplement, qualify or refine the English law of restitution. The focus in this book on the Australian position makes it an invaluable resource for anyone who is studying or researching restitution law in Australia.

Deterring, Detecting, and Resolving Financial Fraud

Global Organized Crime

Money Laundering

Asset Tracing & Recovery

Tracing of Illicit Funds : Money Laundering in Canada

Asset Forfeiture

This book critically analyses fundamental principles of EU law for the control of international economic crime. Discussing how the reporting system and the exchange of information are at the heart of the global anti-money laundering regime, the study also looks at the inferential force of financial intelligence in criminal proceedings and the responsibilities this places on prosecutors and criminals alike. The author closely examines the application of Article 8(2) of the European Court of Human Rights for the retention and movement of the fingerprints, cellular samples and DNA profiles of unconvicted persons, and argues the incompatibility with the ECHR, along with the effect of socially stigmatising unconvicted persons. The work concludes with exploring how financial regulation has, inter alia, shifted responsibility to businesses and financial institutions to become more transparent and accountable to financial regulators and tax authorities. This critical analysis is essential reading for law students and the Judicial Body, as well as financial crime investigators and regulators.

Cases and Materials on the Law of Restitution is an authoritative and scholarly guide written by leading experts who have shaped and defined the law of restitution and unjust enrichment. Extensive coverage of cases and academic perspectives provides a rounded view of the subject. Introductions, notes, and questions enable readers to check their understanding of key issues. The second edition of this seminal title covers many important new cases and academic publications, including Birk's 'absence of basis' approach. The coverage reflects the continuing debates on questions such as: * what is an enrichment? * was the enrichment at the claimant's expense? * what is the role of tracing? * when will proprietary restitution be granted? * when does change of position

operate as a defence? * and does corrective justice underpin this area of the law? The book's structure has been updated to reflect the judicial development of the law of restitution, providing a map through this complex subject. This book is invaluable for undergraduate, postgraduate, and doctoral students, as well as academics working in the area.

This important new book fills a large gap in legal literature by examining restitution in private international law, including both the jurisdiction and choice of law questions facing restitutionary claims with international elements. The book begins with a brief summary of the English domestic law of restitution and highlights some of the issues which may arise. It goes on to examine classification, or characterisation of restitutionary claims.. Restitution has a theoretical unity which enables the author to treat it essentially as a single issue for characterisation purposes. However, restitutionary claims arise in the context of contracts and wrongs; they may be at law or in equity; they may give rise to personal or proprietary remedies, whilst they may be contingent on tracing. Each of these contexts is analysed separately for the purposes of characterisation. The central part of the book examines the choice of law rule for restitutionary issues, and reviews the different approaches adopted in the US and UK and in other parts of the common law world. After weighing the merits of the different approaches the author adopts a choice of law rule for restitutionary issues which is the proper law of the unjust factor. Depending on whether the unjust factor is event-based or law-based, the choice of law rule will focus on either the law of the place, or alternatively, the legal system with which the unjust factor has its closest and most real connection. Jurisdiction is an area of increasing importance in private international law and the book provides a thorough analysis of the topic of jurisdiction for restitutionary claims, both under the Brussels Convention as well as the traditional common law rules contained in the Civil Procedure Rules. This is an important and timely new work for all lawyers interested in restitution, private international law and international commercial litigation.

The book examines redistributive processes such as tracing, subrogation and proprietary estoppel and the use of the constructive trust.

Cases Interpreting the Federal Money Laundering Statutes and Related Forfeiture Provisions, 18 U.S.C. [sections] 1956-57 and 18 U.S.C. [sections] 981-82

The FraudNet World Compendium

Trusts and Equity

Australian Restitution Law

Dirty Assets

This volume comprises the principal policy documents and multilateral legal instruments on international and European criminal law, with a special focus on Europol and Eurojust as well as on initiatives aimed at combating international or organized crime or terrorism. The texts have been ordered according to the multilateral co-operation level within which they were drawn up: either Prüm, the European Union (comprising also Schengen-related texts), the Council of Europe or the United Nations. It is meant to provide students as well as practitioners (judicial and law enforcement authorities, lawyers, researchers, ...) throughout Europe with an accurate, up-to-date edition of essential texts on these matters.

Presenting an integrated approach to information exchange among law enforcement institutions within the EU, this book addresses the dilemma surrounding the need to balance the security of individuals and the need to protect their privacy and data. Providing the reader with a comprehensive analysis of information exchange tools, exploring their history, political background, the most recent legal modifications and the advantages and disadvantages of their use, it includes a comparison between different information exchange tools. Written by an author who has worked as a police officer, Home Affairs counsellor and academic, this is an important read for scholars working with EU Law, Criminal Procedure Law, and International Law as well as for practitioners who directly deal with international police cooperation or who perform criminal investigation both within and outside the EU.

In the maelstrom of globalization and cyberspace, organized crime continues to defy definition. A diverse array of activities is perpetuated by criminal organizations, criminal groups and associations, and gangs, and it is clear that one specific label is no longer adequate. This book offers a uniquely global approach to organized crime and the multitude of forces that shape it in the 21st century. As well as discussing definitions of and the historical roots of organized crime, this book examines various forms of organized crime around the world in the US, Mexico, Latin America and the Caribbean, Russia and Europe, Asia and Africa. This revised and updated new edition includes coverage of: the rise of the 'Ndrangheta in Italy and their global expansion; the impact of drug legalization on organized crime and the problem of methamphetamine; organ trading, money laundering, and animal poaching; changes in gang traditions and gangland penitentiaries; the decentralization of Mexican cartels, the growth of opium production in Myanmar, and the drug war in Africa; and the advancement of ISIS and the emergence of the Silk Road and the Dark Net. This book is essential reading for students engaged in the study of global and transnational organized crime, with features including chapter overviews, key terms, critical thinking questions, and case studies.

Many of the techniques that drug traffickers and organized crime figures use to launder money are also employed by terrorist groups - as those involved in investigating the attacks of September 11, 2001 soon discovered. These techniques and their perpetrators have grown in number and sophistication, creating an urgent need for investigators to develop strategies that will help keep them one step ahead of the game. Authoritative and accessible, Money Laundering: A Guide for Criminal Investigators, Second Edition is based on the author's extensive experience in law enforcement. It provides a clear understanding of money laundering practices and explains the investigative and legislative processes that are essential in detecting and circumventing this illegal and ultimately dangerous activity. In addition to being an informative and straightforward resource for those investigating complex narcotics cases or other cases in which there is a financial component, this new edition addresses techniques used to track down the money trail of terrorists who are highly motivated, well-trained, organized, disciplined - and well-funded. What's New in the Second Edition: ¶ Explains money laundering provisions under the U.S. Patriot Act ¶ Explains how the changes in federal forfeiture law affect existing money laundering law ¶ Clarifies current legislation and how it affects money laundering investigation ¶ Outlines the basics

as well as the emerging trends of terrorist financing p Includes two new chapters on the investigation of terrorist activities

The Law of Tracing

The Emergence of EU Criminal Law

The Global Anti-Money Laundering Regulatory Landscape in Less Developed Countries

Understanding and Responding to Terrorism

Law and Practice Manual

Pre-Emption and the Rule of Law

The law of tracing is a complex subject which has struggled to find a home in works on property, equity, commercial law and restitution. Broadly speaking, it addresses the question of when rights held in an asset can be asserted in another asset despite changes in form or attempts to 'launder' the initial asset. Properly understood this area of study is composed of several distinct topics. This book explores all the areas covered by the law of tracing in a degree of detail not previously reached in more general works.

A how-to guide for the discovery and prevention of the illegal transfer of money Written for the private sector—where most money laundering takes place—this book clearly explains shows business professionals how to deter, detect, and resolve financial fraud cases internally. It expertly provides an understanding of the mechanisms, tools to detect issues, and action lists to recover hidden funds. Provides action-oriented material that will show how to deter, detect, and resolve financial fraud cases Offers an understanding of the mechanisms, tools to detect issues, and action list to recover hidden funds Covers mechanisms for moving money, identifying risk exposures, and investigating money movement Arming auditors, investigators, and compliance personnel with the guidance that, up until now, has been restricted to criminal investigators, Money Laundering Prevention provides nuts-and-bolts information needed to fully understand the money laundering process.

EU Counter-Terrorism Law: Pre-emption and the Rule of Law is a detailed study of EU action to combat terrorism since 11 September 2001 and the implications that action has had for the EU legal order. It critically examines EU counter-terrorism measures to ascertain how rule of law principles have been affected in the 'war on terror'. The book opens with a critical examination of the rule of law in the EU legal order. It then provides an overview of the "war on terror" before analysing five key facets of EU counter-terrorism: the common European definition of terrorism along with related offences contained in the Framework Decision on Combating Terrorism; the EU's anti-money laundering and counter-terrorist finance laws; UN and EU targeted asset-freezing sanctions; EU data retention measures such as the Data Retention Directive and the Passenger Name Records agreements; and the European Arrest Warrant and European Evidence Warrant. The book argues that EU counter-terrorism is weakening the rule of law and bypassing safeguards in favour of a system emphasising coercive control over individual autonomy. It concludes by examining the prospects for the future as the EU becomes a more powerful security actor following the Lisbon Treaty and the adoption of the Stockholm Programme. 'an impressively accurate and alarming analysis' Ms Sophia In 't Veld MEP and Vice-Chair of the European Parliament Committee on Civil Liberties, Justice and Home Affairs 2ND Prize winner of the Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship 2013

Restitution and Banking Law, written by leading practitioners and commentators, combines their experience in the field of restitution law and banking law to discuss major issues.

Hume Papers on Public Policy 1.2

A 21st Century Approach

Essays in Honour of Roy Goode

Money Laundering Prevention

Equity & Trusts: Text, Cases, and Materials

Restitution and Banking Law

A generation ago not a single country had laws to counter money laundering; now, more countries have standardized anti-money laundering (AML) policies than have any other forces. In *The Money Laundry*, J. C. Sharman investigates whether AML policy works, and why it has spread so rapidly to so many states with so little in common. Sharman asserts that there are few benefits to such policies but high costs, which fall especially heavily on poor countries. Sharman tests the effectiveness of AML laws by soliciting the services of untraceable shell companies that are expressly forbidden by global standards. In practice these are readily available, and the author had no difficulty in obtaining the services of such companies. After dealing with providers in countries ranging from the Seychelles and Somalia to the United States and Britain, Sharman demonstrates that it is easier to form untraceable companies in large rich states than in small poor ones; the United States is the worst offender. Despite its ineffectiveness, AML policy has spread via three paths. The Financial Action Task Force, the key standard-setter and enforcer in this area, has successfully implemented a strategy of blacklisting to promote compliance. Publicly identified as noncompliant, targeted states suffered damage to their reputation. Subsequently, officials from poor countries became socialized within transnational policy networks. Finally, international banks began using the presence of AML policy as a proxy for general country risk. Developing states have responded by adopting this policy as a functionally useless but symbolically valuable way of reassuring powerful outsiders. Since the financial crisis of 2008, the G20 has used the same methods of coercive policy diffusion pioneered in the AML realm as a model for other global governance initiatives.

Examining the challenges of using the global anti-money laundering (AML) framework in an uneven global regulatory landscape, this book discusses the difficulties of regulating corruption, general systemic failure and lack of infrastructural capacity in some developing economies are hampering the implementation of laws and regulations. Suggesting that these challenges can be overcome by designing AML regimes more suited to developing economies within the prevailing global climate, the book questions the assumption

that global regimes will be applicable and emphasises the need for more representation of developing economies on the relevant committees. This book is the first of its kind to present the perspective of developing economies and their involvement in AML regimes and should be of interest to those involved in business and commercial law as well as comparative law.

This casebook covers the philosophy and concepts of personal property law and the impact of evolving business practices on the development of the law.

Criminal law can no longer be neatly categorised as the product and responsibility of domestic law. That this is true is emphasised by the ever-increasing amount of legislation stemming from the European Union (EU) which impacts, both directly and indirectly, on the criminal law. The involvement of the EU institutions in the substantive criminal law of its Member States is of considerable legal and political significance. This book deals with the emerging EU framework for creating, harmonising and ensuring the application of EU criminal law. This book aims to highlight some of the consequences of EU involvement in the criminal law by examining the provisions which have been adopted in the area of information and communications technology. It provides an overview of the criminal law competence of the EU and evaluates the impact of these developments on the laws of the Member States. It then goes on to consider the EU legislation which requires Member States to regulate matters such as data protection, e-security, intellectual property and various types of illegal content through the criminal law is analysed. In the course of this evaluation, particular consideration is given to issues such as the extent to which the EU institutions establish the need for criminal sanctions, the liability of service providers and the extent to which the Member States have adhered to, or departed from, the legislation in the course of implementation.

Essential Texts on International and European Criminal Law 8th edition, updated until 1 January 2015

EU Counter-Terrorism Law

Resulting Trusts

Tracing the Proceeds of Crime from Illegal Wildlife Trades

Pearce & Stevens' Trusts and Equitable Obligations

Personal Property Law

The Law of Trusts and Equitable Obligations provides students with a detailed and stimulating account of the law of equity and trusts. The fifth edition has been thoroughly updated by Warren Barr, senior lecturer at the University of Liverpool and Law Teacher of the Year 2006 in collaboration with Robert Pearce and John Stevens.

The essays in this volume are dedicated to Gareth Jones, the retiring Downing Professor of English Law at the University of Cambridge. His contribution to legal scholarship has been immense, particularly in the fields of legal history, the law of trusts, charities law and, most famously, the law of restitution. The publication of the first edition of the Law of Restitution, which he co-authored with Lord Goff, stimulated a renaissance in the study of a subject which had previously lain dormant. The effect of its publication on English legal scholarship has been profound and enduring. In these essays, written by a group of the world's leading restitution scholars, the opportunity is taken to conduct a fresh appraisal of the development of the subject - to look, in other words, at the past, present, and future of the law of restitution. Contributors: John Baker, Peter Birks, Justice Finn, Roy Goode, Ewan McKendrick, Justice McLachlin, Sir Peter Millett, Lord Nicholls of Birkenhead, Richard Nolan, Janet O'Sullivan, Graham Virgo (as well as shorter contributions from invited commentators).

Edited by eminent banking law scholar Ross Cranston, this is a collection of essays written in honor of Roy Goode, the Norton Rose Professor of English Law at Oxford and highly esteemed commercial law scholar. The contributors, an international group of distinguished commercial lawyers, address topics including international contracts and sales, credit and security, and commercial arbitration. Making Commercial Law is a truly international collection that will be of great interest to scholars of commercial law worldwide, and to practitioners working in the areas of finance and international banking.

This book explores the interaction of money laundering (ML) with environmental crime (EC) through the investigation and analysis of environmental "predicate crime," and illegally derived assets which are generated by the offence. Focussing on two types of environmental crime - wildlife and forestry offences- the book will enhance the understanding of EC-ML offences globally, exploring EC-ML linkages in Europe, South America, India, China and Africa. Filling the current void in literature on this subject, the authors address key issues including the socio-economic impacts of money laundering and environmental crime; the journey of the illegally derived proceeds of environmental crime; and the prevention and enforcement of international laws to combat the offences. Drawing from examples such as Africa's ivory trade, the trade of exotic species in Latin America and tiger poaching in India and China, "Environmental Crime and

Money Laundering" will contribute to new knowledge to this growing area of research. This book will be of great interest to students and scholars of environmental, economic and transnational crime, and international criminal law. "

Equity and Trusts

Money Laundering in Canada

The Disruption of International Organised Crime

Laundering and Tracing

Cyber Crime and the Regulation of the Information Society

Text and Materials

Analyzing the structures of transnational organized crime, this book considers whether traditional mechanisms and national jurisdictions can tackle this increasing menace. Highlighting the strengths and weaknesses in the present methods of control, the book discusses the possibilities of developing more effective national and international strategies, the creation of non-legal mechanisms outside the traditional criminal justice system and the implications of 'disruption strategies'. The roles of law enforcement officers, tax investigators, financial intelligence officers, compliance officers, lawyers and accountants - in enforcing both civil and criminal sanctions on organized crime - are also considered.

Adopting a multi-disciplinary and comparative approach, this book focuses on the emerging and innovative aspects of attempts to target the accumulated assets of those engaged in criminal and terrorist activity, organized crime and corruption. It examines the 'follow-the-money' approach and explores the nature of criminal, civil and regulatory responses used to attack the financial assets of those engaged in financial crime in order to deter and disrupt future criminal activity as well as terrorism networks. With contributions from leading international academics and practitioners in the fields of law, economics, financial management, criminology, sociology and political science, the book explores law and practice in countries with significant problems and experiences, revealing new insights into these dilemmas. It also discusses the impact of the 'follow-the-money' approach on human rights while also assessing effectiveness. The book will appeal to academics and researchers of financial crime, organized crime and terrorism as well as practitioners in the police, prosecution, financial and taxation agencies, policy-makers and lawyers.

This is an issue of our quarterly journal Hume Papers on Public Policy - the journal of the David Hume Institute.

In a world of advancing technology and increasing complexity, established decision making and problem solving methods are no longer effective. However, this work shows not only a way forward, but how to approach complex problems efficiently and competently, wherever they occur in our lives.

Making Commercial Law

Regulating Criminal Finance in the Global Economy

Executive Summary

Tracing of illicit funds

Dangerous Decisions

Proprietary Remedies in Context

The legal difficulties arising out of the growing number of money laundering cases reaching the courts are the subject of a burgeoning literature. There is vigorous debate among practitioners, judges and academics as to what the civil courts can do to assist plaintiffs seeking to recover funds in the UK and overseas. This collection of essays, the first on the subject, throws important fresh light on the solutions offered by the common law and equity, and considers the directions in which recent landmark cases are likely to take the law.

" This publication concerns three main topics: - Dynamics of effective international cooperation against terrorism: Facilitators and barriers; - Law enforcement response to terrorism in different countries and regions; - Emergency management lessons for Homeland Security. On the first topic on the role of international organizations, the barriers for cooperation and their solutions are explored. With respect to the second topic, several countrys legislative efforts against terrorism, the level of terrorism, experienced threat, and how law enforcement agencies fight terrorism in their respective states are handled. The third topic includes evaluations of the response and recovery operations that are implemented after terrorist attacks in order to enhance emergency management and homeland security policies and procedures as well as the integration of crisis and consequence management activities. The articles in this publication have been categorized in five parts: - International Police Cooperation - National Approaches to Terrorism - Responding to Terrorism - Terrorism Emergency Management - Closing Remarks This book can be a useful source to better understand and respond to the terrorism threat. "

Robert Chambers has written a much-needed, detailed examination of the resulting trust which will be invaluable to all barristers and academics working in the

areas of equity and trusts, restitution and the law of property.

Globalization has given criminals an unlimited number of possibilities especially in offshore areas to hide deprived assets. International experts of FraudNet deliver comprehensive and crucial knowledge about the possibilities of asset tracing and recovery, including: an introduction to the methods of fraud; international available remedies; supranational legal sources; basics of asset tracing and recovery in common law and civil law; respective national laws, regulations and proceedings of over 40 countries -- Back cover.

Restitution in Private International Law

The Law of Trusts and Equitable Obligations

A Guide for Criminal Investigators, Second Edition

Tracing of Illicit Funds

Proprietary Interests in Commercial Transactions

Problem Solving in Tomorrow's World

Worthington provides a broad overview of personal property law in a commercial context, examining the various devices used by contracting parties and attempting to distil a theoretical framework to describe the relevant laws.

Alastair Hudson's Equity and Trusts is an ideal textbook for undergraduate courses on the law of trusts and equitable remedies. It provides a clear, current and comprehensive account of the subject through which the author's enthusiasm and expertise shine through, helping to bring to life an area of the law which students often find difficult. Beginning with the core principles, Hudson reinforces the key points by means of clear examples throughout each chapter, helping students to build and develop their own knowledge of equity and trusts. A set of lively and thought-provoking essays reflecting on the law then begin to outline the broader political, social and economic context of the subject and encourage the reader to begin to engage with their own critical thinking. The eighth edition of Equity and Trusts will be edited and updated to include discussion of the key developments in the subject since publication of the seventh edition in 2012, including the impact of the Supreme Court and potential for regulation relating to cohabitation and shared ownership as well as cases arising in the light of the enforcement of the Charities Act 2006.

Laundering and Tracing Oxford University Press on Demand

Information Exchange and EU Law Enforcement

Federal Money Laundering Cases

Essays in Honour of Gareth Jones

Fundamental Principles of EU Law Against Money Laundering

Emerging Issues in the Regulation of Criminal and Terrorist Assets

Cases and Materials on the Law of Restitution